

Remarks/Arguments:

This Amendment adds no new claims, and amends claims 1, 5, 6, 7 and 8. No new matter has been added. Upon entry of this Amendment, claims 1-8 will be pending.

Rejections of the Claims under 35 U.S.C. 103(a)

The Examiner has rejected claims 1, 3, 4, 7 and 8 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2003-0044000 A1 to Kfoury et al., (hereinafter referred to as Kfoury) in view of U.S. Patent Publication No. 2002-0033836 A1 to Smith (hereinafter referred to as Smith).

Regarding claims 1, 7 and 8, the Examiner points to Figs. 1-4 of Kfoury as disclosing a direction detecting section (sensors) for detecting an orientation (of a manually rotatable keypad), a display controller for orienting and outputting a display based upon the sensor outputs, and a display section for displaying the oriented data as either landscape or portrait. The Examiner further points to Smith as disclosing the determination of a display data size to be output based upon the detected direction, and therefore purportedly rendering the invention claimed by the Applicant in independent claims 1, 7 and 8 obvious.

The Applicant claims a device and method which detect a direction in which the mobile terminal is placed. By contrast, the disclosed keypad orientation sensor of the Kfoury reference is not used to detect a direction in which the mobile terminal itself is placed, but rather can only detect an orientation of the keypad. Further, the sensors that detect the orientation of the keypad in the Kfoury reference are shown and described as sensors that are activated at a predetermined orientation. The activation of the sensor is used to determine the orientation of the keypad. The Smith reference is silent regarding activation of the orientation sensing/switching device and therefore, how motion is detected.

Further, the Applicant has amended independent claims 1, 7 and 8 to more clearly claim a device and method in which one or more of the direction signals can be selectively detected (specifically a fourth direction signal), and the display controller is configured to generate a specific display when “none of the first, second and third direction detecting signals are generated, or selectively when a fourth direction detecting signal is generated” in claim 1, and when “none of the first, second and third directions are detected, or selectively when a fourth direction is detected” in claims 7 and 8. This is not new matter and is disclosed at several places in the specification (see page 11, lines 11-15, and page 14, lines 1-2). Claim 7 has also been amended to correct a typographical error.

The Kfoury reference discloses the use of four signals differentiated by each of the keypad orientation positions, and the Smith reference discloses the use of two signals differentiated by each of a horizontal and vertical position. However, the Kfoury and Smith references, individually or in combination, do not disclose nor reasonably suggest the use of three direction signals, and the selective use of a fourth direction signal or the absence of the first through third direction signals, to control the display.

As to Kfoury, the Kfoury reference discloses a rotatable keypad which can include sensors for detecting a keypad (input area) orientation. The detected keypad orientation is then used to orient a display of data. The data is displayed in either a portrait view or landscape view in alignment with the rotatable keypad. The sensors of the Kfoury reference can include switches, LED/photoelectronics, or magnetic reed switches. While it is not explicitly stated in the Kfoury reference how many sensors 504 (see Fig. 5, and paragraph 21), 1000 (see Fig. 12, and paragraph 33), 1100 (see Fig. 13, and paragraph 34), or 1200 (see Fig. 14, and paragraph 34), are used, four keypad orientation positions and sensor signals per orientation are shown and described (see paragraph 51) in the embodiments in which both the keys and the key sensors rotate together. In an alternate embodiment where the keys rotate relative to

the key sensors, a single sensor 1310 is used (see Fig. 15), but the Kfoury reference is silent as to how the sensor output is interpreted to determine orientation of the keypad.

As to Smith, the Smith reference discloses a portable electronic device in which a display can be changed from a first orientation to a second orientation via a hard key, soft key, or by using a orientation sensing/switching device within the electronic device. The Smith reference merely discloses that the orientation sensing/switching device of can include a mercury, liquid, or mechanical gravity switch, or a combination movable magnet and Hall effect or reed switches (see paragraph 18). As stated above, the Smith reference is silent regarding the interpretation of switch output(s) to determine orientation.

Accordingly, the Kfoury and Smith references, individually or in combination, do not teach nor reasonably suggest each element of amended independent claims 1, 7 and 8.

Regarding claims 3 and 4, the Examiner points to Fig. 6 of Kfoury as disclosing a direction detecting section (sensors) in a folder housing and a main housing of a device, and therefore purportedly rendering the invention claimed by the Applicant in dependent claims 3 and 4 obvious.

Regarding claim 3, the Examiner points to the front housing 601 and the base 605 as disclosing a folder housing. However, the Applicant asserts that a folder housing typically requires at least one axis about which a component moves to create a fold. The front housing and base of Fig. 6 of the Kfoury reference appear to securely engage once assembled, and movement between the two is not possible. The Smith reference also fails to disclose a folder housing.

Further, claims 3 and 4 depend from independent claim 1 as amended. Accordingly, for the reasons given above, the Applicant asserts that the Kfoury and

Smith references do not teach nor reasonably suggest each element of amended independent claim 1, and dependent claims 3 and 4.

The Examiner has rejected claim 2 under 35 U.S.C. 103(a) as being unpatentable over Kfoury in view of Smith, and further in view of U.S. Patent Publication No. 2001-0007469 A1 to Fuchimukai et al. (hereinafter referred to as Fuchimukai).

Regarding claim 2, the Examiner points to Kfoury as disclosing a direction detecting device for generating first, second, third and fourth signals, and points to Smith as disclosing sensor or switch using a movable magnet and Hall effect sensors. The Examiner further points to Fig. 4 of Fuchimukai as disclosing a guide chamber with four extended portions, and therefore purportedly rendering the invention claimed by the Applicant in dependent claim 2 obvious.

However, claim 2 depends from amended independent claim 1. Accordingly, for the reasons given above, the Applicant asserts that the Kfoury, Smith and Fuchimukai references do not teach nor reasonably suggest individually or in combination each element of amended independent claim 1, and dependent claim 2.

The Examiner has also rejected claims 5 and 6 under 35 U.S.C. 103(a) as being unpatentable over Kfoury in view of Smith, and further in view of U.S. Patent No. 5,612,732 to Yuyama et al. (hereinafter referred to as Yuyama).

Regarding claim 5, the Examiner points to Kfoury as disclosing a picture display device comprising a direction detecting section and a display controller, and points to Yuyama as disclosing a camera module. The Examiner further points to Smith as disclosing a device and method for determining a display size to be output,

and therefore purportedly rendering the invention claimed by the Applicant in independent claim 5 obvious.

Regarding claim 6, the Examiner points to Kfoury as disclosing a picture display device comprising a direction detecting section and a display controller, and point to Yuyama as disclosing a tuner, decoder and video processing unit. The Examiner further points to Smith as disclosing a device and method for determining a display size to be output, and therefore purportedly rendering the invention claimed by the Applicant in independent claim 6 obvious.

However, the Applicant has amended independent claims 5 and 6 to more clearly claim a device and method in which one or more of the direction signals can be selectively detected, and the display controller is configured to generate a specific display when “none of the first, second and third direction detecting signals are generated, or selectively when a fourth direction detecting signal is generated”. This is not new matter and is disclosed at several places in the specification (see page 11, lines 11-15, and page 14, lines 1-2).

The Kfoury reference apparently discloses the use of a signals differentiated by each of the four keypad orientation positions, and the Smith reference discloses the use of signals differentiated by each of a horizontal and vertical position. The Yuyama reference discloses a pocket imaging apparatus having a body, memory and a display section. However, the Kfoury, Smith and Yuyama references, individually or in combination, do not disclose nor reasonably suggest the use of three direction signals, and the selective use of a fourth direction signal or the absence of the first through third direction signals, to control the display.

Accordingly, the Kfoury, Smith and Yuyama references, individually or in combination, do not teach nor reasonably suggest each element of amended independent claims 5 and 6.

Application No. 10/765,062
Amendment dated June 29, 2006
Reply to Office Action of April 4, 2006

Conclusion

In view of the above, it is believed that the application is in condition for allowance and notice to this effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

Ronald S. Grubb
Ronald S. Grubb
Reg. No. 48,672
Attorney for Applicant

Dated: June 29, 2006
Roylance, Abrams, Berdo & Goodman, L.L.P.
1300 19th Street, N.W., Suite 600
Washington, D.C. 20036
T: (202) 659-9076